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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/584,306	05/31/2000	Eric James	99EC035/77526	3172
24628	7590	03/11/2005	EXAMINER	
WELSH & KATZ, LTD 120 S RIVERSIDE PLAZA 22ND FLOOR CHICAGO, IL 60606			NGUYEN, QUYNH H	
			ART UNIT	PAPER NUMBER
			2642	

DATE MAILED: 03/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/584,306

Applicant(s)

JAMES, ERIC

Examiner

Quynh H Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-52 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-52 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior office action.

### ***Claim Rejections - 35 USC § 103***

2. Claims 2, 4, 6-13, 17, 18, 20-24, 26-34, 37, 38, 40-46, and 48-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clare et al. (U.S. Patent 5,465,286) in view of Kilander et al. (U.S. Patent 5,742,675).

Regarding claim 2, Clare et al. teach monitoring a database of the call center by applications or subroutines (Fig. 9 and 10); monitoring physical location information of entities and updating the electronic floor plan to provide and reflect a change in physical location information of the entities (col. 12, lines 26-64) by an event handler (Fig. 11); displaying the electronic floor plan on the workstation of the supervisor (Fig. 1, 20 and Abstract, lines 3-12), the supervisor modifies the groups displayed in Fig. 2, for example, add, change, or delete (col. 6, line 63 through col. 7, line 2 and col. 9, lines 61-66, and col. 12, lines 26-30), the supervisor may change some outbound agents to inbound agents to address the excess inbound calls, changing in personnel or modification of agent locations (col. 10, lines 50-51).

Clare et al. do not suggest the step of monitoring and detecting logons and logoffs of the entities to identify consoles being used by the entities.

Kilander et al. teach a method and apparatus automatically distributing calls to available logged in call handling agents who logs on to his/her workstation or console (col. 6, lines 9-32). When the agent logs off his/her computer notifies the CCS 20 of the log off request and records it in the MIS section of database 22 (Fig. 5 and col. 7, lines 45-52).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the features of detecting logons and logoffs of the entities to identify consoles being used by the entities, as taught by Kilander, in Clare's system in order to add more capability of providing and reflecting a change physical location information based upon the monitoring of the logons and logoffs of the entities to Clare's system beside relying on radio transmitting to determine the location of agents.

Regarding claims 4, 24, and 46, Clare et al. teach that entities include agent/personnel (Fig. 13, 61), and consoles/agent terminals (col. 11, lines 61-63). Clare et al. do not teach printers and facsimile. It would have been obvious to one of ordinary skill in the art at the time the invention was made that any working station would have at least a printer and facsimile to better serve customers.

Regarding claims 6, 26, and 48, Clare et al. teach monitoring ("updated") changes (col. 11, lines 50-60). However, Clare et al. do not teach comparing physical location at a second time with physical location at a first time. It would be necessary to compare the physical location at a second time with the physical location at a first time in order to display the updated information.

Regarding claims 7, 27, and 49, Clare et al. do not teach notifying a supervisor if the physical location information has been changed. It would have been obvious that one of the purposes of monitoring physical location of an entity in a call center is to notify the supervisor.

Regarding claims 8, 28, and 37, Clare et al. teach recording physical location information and retrieving the recorded physical location information (col. 10, lines 32-51). Clare et al. do not teach physical location information that is improper is maintained in a list of entities without physical location information. It would have been obvious that physical location information are not needed for improper location information, for example, there is no graphical image display on the electronic floor plan for an entity if an entity is located at an improper location.

Regarding claims 9, 10, 29, and 30, Clare et al. do not that teach the physical location is entered by a call center user or server computer. However, Kilander et al. teach that the CCS 20 processes the log-on transaction and determines whether the agent logs on to his/her computer terminal from the agent's on-site working location or from an off-site working location (col. 6, lines 18-32).

Claims 11 and 31 are rejected for the same reasons as discussed above with respect to claims 5 and 8.

Regarding claims 12, 32, and 33, Clare et al. teach the recorded physical location information is determined by getting physical location information from a database (Fig. 1, memory in applications processor 50).

Regarding claims 13, 17, 18, 34, 38, and 52, Clare et al. do not teach that translating includes using a look-up table to create a relationship between physical location information and graphical form and placing graphical image and using bit map drawing tools to produce two-dimensional image of the electronic floor plan. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated a looking-up table to create a relationship between physical information and graphical form, and produce a graphical image in order to provide proper and accurate drawing.

Regarding claims 20 and 40, Clare et al. teach the locating system updates the location information every one second in near real time. It would have been obvious that the locating system would have identified an entity, which has physically moved in order to update the location information.

Regarding claims 21-22, 41-43, and 50, Clare et al. do not teach the electronic floor plan is updated with a prediction of physical location information based upon a history of physical location information and is archived and retrieved for later analysis. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated, in a call center environment, prediction of physical location information based upon a history of physical location information and having such information archived and retrieved for later analysis in order to assist supervisor in planning.

Claim 23 is rejected for the same reasons as discussed above with regard to claim 1. Furthermore, Clare et al. teach means for monitoring (Fig. 9 step 240 -

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monitoring system and Fig. 10 step 300 - monitor subroutine). Clare et al. further teach means for updating the electronic floor plan (Fig. 1).

Claims 44 and 45 are rejected for the same reasons as discussed above with regard to claim 1. Furthermore, Clare et al. teach an entity monitor comprises a programmable computer which monitors entities for physical location information to provide an electronic floor plan (col. 12, line 65 through col. 13, line 21); a supervisor's workstation that displays the electronic floor plan (Fig. 1, 20 and Abstract, lines 3-12); and an informer that updates the electronic floor plan displayed on the supervisor's workstation to provide and reflect changes in physical location information of the entities (col. 13, line 46 through col. 14, line 32).

Claim 51 is rejected for the same reasons as discussed above with regard to claim 11.

3. Claims 3, 5, 14-16, 19, 25, 35, 36, 39, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clare et al. (U.S. Patent 5,465,286) in view of Kilander et al. (U.S. Patent 5,742,675) and further in view of Matsuda et al. (U.S. Patent 6,268,872).

Regarding claims 3, 14, 15, 35, and 36, Clare et al. do not explicitly teach physical location information includes Cartesian coordinates, latitude and longitude meridians, and radius vector and angle and proper Cartesian coordinates can be graphically represented on the electronic floor plan.

Matsuda et al. teach a three-dimensional graphics language called Virtual Reality Modeling Language (VRML) that enables description of a three-dimensional space and setting of objects drawn in three-dimensional graphics. Furthermore, if entity 61 in Fig. 13 moves from one location to the next location, the Cartesian coordinates would change.

Even though Clare et al. do not explicitly teach Cartesian coordinates, it would have been obvious to one of ordinary skill in the art at the time the invention was made that Cartesian coordinates would be needed for proper graphical representation of the electronic floor plan. For example, a graph showing the number of entities log on or log off (x-coordinate) over a period of time (y-coordinate).

Claims 5, 19, 25, 39, and 47 are rejected for the same reasons as discussed above with respect to claims 3, 14, 15, 35, and 36. Furthermore, Clare et al. teach electronic floor plan includes a bit map image (col. 10, lines 37-51). Clare et al. do not explicitly teach the electronic floor includes vector graphics, object oriented graphics, and VRML representation. It would have been obvious to one of ordinary skill in the art at the time the invention was made that vector graphics, object oriented graphics, and VRML browser are used for displaying a three-dimensional space and the advantage of using them are also well known.

Claim 16 is rejected for the same reasons as discussed above with respect to claim 37.



**Response to Arguments**

4. Applicant's arguments with respect to claims 2-52 have been considered but are not persuasive. Applicant argues that Kilander et al. do not teach the supervisors workstation that monitors a database for log on and log off. Examiner respectfully submits that Kilander et al. teach (col. 6, lines 9-32) that an automatically distributing calls to available logged in call handling agents who logs on to his/her workstation or console, and when the agent logs off his/her computer notifies the CCS 20 of the log off request and records it in the MIS section of database 22 (Fig. 5 and col. 7, lines 45-52). Examiner cited Kilander that teaches the above features to fill the missing limitations of monitoring and detecting logons and logoffs of the entities in Clare (the primary reference).

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

qhn

Quynh H. Nguyen  
March 3, 2005

  
WILLIAM J. DEANE, JR.  
PRIMARY EXAMINER